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To:

Commissioner for Patents

From:

David Bonham
(703) 433-0510

Fax: 571-273-8300**Total pages:** 17**Phone:****Date:** 10/30/2006

Re: In connection with Serial No. 10/789,398 please find enclosed a response to the Office Action mailed September 28, 2006.

CC: *Resent due to
error in transmission.*

Sincerely,

DBB

David Bonham

Urgent **For Review** **Please Comment** **Please Reply** **Please Recycle**

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Serial No. 10/789,398
Examiner Thomas Sweet

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Kathleen M. Miller

Serial No.: 10/789,398

Filed: 02/27/2004

**TITLE: IMPLANTABLE OR INSERTABLE MEDICAL DEVICE RESISTANT
TO MICROBIAL GROWTH AND BIOFILM FORMATION**

Art Unit: 3738

Examiner: Thomas Sweet

Confirmation No.: 4925

Docket No.: 98-P0151US2

VIA FACSIMILE 571-273-8300
Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

RESPONSE TO OFFICE ACTION

Sir:

In response to the Office Action mailed September 28, 2006, kindly consider the following response to the outstanding restriction requirement: